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Government of Kerala
2025

Regn.No. KERBIL/2012/45073
dated 05-09-2012 with RNI
Reg No.KL/TV(N)/634/2021-2023

കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 14
Vol. XIV

തിരുവനന്തപുരം, ബുധൻ
Thiruvananthapuram, Wednesday

2025 സെപ്റ്റംബർ 17
17th September 2025
1201 കന്നി 1
1st Kanni 1201
1947 ഭാദ്രം 26
26th Bhadra 1947

നമ്പർ
No. 3315

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. (Ms) No. 172/2025/Home.

Dated, Thiruvananthapuram, 17th September, 2025 / 1st Kanni,1201 / 26th Bhadra, 1947.

S. R. O. No. 1056/2025

In exercise of the powers conferred by Sub-Section (1) of Section 64 and clause (I) of section 530 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023) and in consultation with the Hon'ble High Court of Kerala and in consonance with the model guidelines issued by the Central Government, the Government of Ketala hereby

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make the following Rules, namely:-

RULES

1. *Short title and commencement.*- These rules may be called the Kerala Electronic Processes (Issuance, Service and Execution) Rules.

e-summons Rules

1.*Short title and Commencement.*- (1) These rules may be called the Kerala Electronic Processes (Issuance, Service and Execution) Rules, 2025.

2. They shall come into force immediately.

2. (1) In these rules, unless the context otherwise requires-

(a) "Court software" means a system software, used by the District Judiciary or the High Courts, for the case management, collection of data, execution of instructions or such other functions and includes, Case Information System (CIS), Case Management System (CMS), District Court Case Management System (DCMS), 24*7 OnCourts, and Virtual Courts;

(b) "Disclosed electronic communication address" means the electronic messaging account of the person or organisation which such person uses in the ordinary course to send and receive messages over internet and is shown to be admitted or provided by such person or organisation either personally or on a website or portal and includes email ID and other electronic communication ID including whatsapp or telegram;

(c) "e-Sign" means authentication of any electronic record by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (21 of 2000) and includes authentication by electronic signature or digital signature or such other means of authentication as the High Court may prescribe.

(d) "High Court" means High Court of Kerala.

(e) "Interoperability Software" means any software for transfer of information among various pillars of the criminal justice system, such as the investigating agencies, courts, correctional homes, forensic laboratories, prosecution or any other stakeholder as notified by the central government and includes Inter-operable Criminal Justice System (ICJS).

(f) "Investigation agency software" means a system software used by the Police or other investigating agencies for the collection of data, execution of instructions or such other activities and includes Crime and Criminal Tracking Network and Systems (CCTNS);

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(g) "Process" includes all communications issued from court to parties and witnesses and includes summons, warrant, notices or any other matter that is specifically prescribed by the State Government or High Court from time to time.

(h) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023),

(i) "Seal" includes image of the seal of the Court,

(j) "State" means the State of Kerala

2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (45 of 2023); the Bharatiya SakshyaAdhiniyam, 2023 (47 of 2023) and the Information Technology Act, 2000 (21 of 2000).

3. Requirements of process through electronic communication:

(1) Every process issued in electronic form under the Sanhita shall ordinarily be written in the language of the Court.

(2) The summons or any other process other than a warrant of arrest generated in electronic form shall bear the image of the seal of the court and shall be issued under the e-Sign of the Court or the Judge or the Chief Ministerial Officer or such other officer of the Court as the High Court may designate from time to time.

(3) Every warrant of arrest in electronic form shall be issued under the e-Sign of the Presiding Officer of the Court or of the Court itself and shall also bear the image of the seal of the Court.

(4) The electronic process shall clearly indicate, either within the e-Sign, metadata or elsewhere in the document, the name of the Court and the designation of the person subscribing to it.

(5) The Court shall generate and issue process in electronic form through the Court Software, in the Form prescribed in the Second Schedule of the Sanhita with necessary variations as circumstances may require.

(6) When the disclosed electronic communication address of the required person or organisation is available, such process shall be sent through electronic communication from the Court. (Refer proviso to S.64(2) of the Sanhita)

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(7) The High Court of Kerala may notify such officers or class of officers of the Court within its jurisdiction, for effecting service of summons under S.64(1) of the Sanhita.

(8) When the Court does not have the disclosed electronic communication address of the required person or organisation, or when it deems fit, the Court may direct the same to be served by a Police Officer or any Officer notified as per Sub Rule (7).

(9) Where a process has been issued otherwise than in electronic form and bears a physical signature, the Court may transmit a scanned copy of such process through electronic communication using the Interoperability Software for the purpose of service by a Police Officer or any other authorised public servant. Such public servants shall include the following:

i. Officials of the Department of Excise up to the rank of Assistant Excise Commissioner.

ii. Officials of the Department of Forest and Wildlife up to the rank of Assistant Forest Conservator.

iii. Officials of the Department of Motor Vehicles up to the rank of Joint Regional Transport Officer

iv. Officials of the Department of Revenue up to the rank of Deputy Collector and Revenue Divisional Officer.

v. Officials of Local Self Government Institutions up to the rank of Panchayat Secretary, Municipal Secretary, or Corporation Secretary.

vi. Officials of the Department of Labour up to the rank of District Labour Officer.

vii. Officials of the Department of Geology up to the rank of Geologist.

viii. All Health Inspectors attached to state-run hospitals up to the Medical College level.

ix. All Food Safety Officers.

x. All officials of the Department of Legal Metrology (Weights and Measures) up to the rank of Inspector.

xi. All officials of the Department of Civil Supplies up to the rank of District Supply Officer.

xii. All officials of the Department of Registration up to the rank of Sub-Registrar.

4. Receipt of process:

(1) Where any process is received in the Investigating Agency Software from the Court

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Software through Interoperability Software or by any other authorised electronic means, it shall be presumed to have been duly issued by the Court.

(2) Any printout taken from the electronic communication of such a process by the designated person shall have the same legal effect as the original process for the purpose of its execution.

5. Duty of the Investigating Officer:

(1)The Officer-in-charge of the Police Station shall ascertain and record, in respect of every person arraigned as an accused or cited as a witness, the following details:

(a) In the case of an accused, a recent photograph, as far as practicable,

(b) In the case of accused and witnesses their precise residential address,

(c) In the case of accused and witnesses their place of business, if any; and disclosed electronic communication address, whether:

(i) expressly provided by such person in the course of arrest, inquiry, or investigation; or

(ii) appearing on any website or portal as used or admitted by such person in the ordinary course.

(2) The details referred to in this rule shall be entered in the Register in Form No. 1 maintained at the Police Station under sub-section (1) of section 64 of the Sanhita, in electronic form or otherwise and be recorded in electronic form for the purposes of issuance and service of process under the Sanhita.

(3) In the case of an accused, as far as practicable, such person shall be required to confirm or declare their designated electronic communication address in writing or electronically, in Form No. 2. A copy of such declaration shall be retained in the case file and uploaded to the Investigation Agency software.

(4) Where any such details are not available, the Officer-in-charge shall make an endorsement to that effect in the Register showing in the remarks column the reason for the said detail not being available.

Provided that such details may be updated upon further verification or upon an application by the person concerned.

(5) In cases instituted on a private complaint, the complainant shall, as far as possible,

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provide the above-mentioned details of the accused and witnesses. Where any such detail is unavailable, the complainant shall make an endorsement to that effect in the complaint.

(6) The information thus collected shall be maintained in electronic form in the Investigating Agency Software and Court Software and may be used for the issuance and service of any process that may be issued by the court.

(7) The details relating to disclosed electronic mail address, phone number and messaging application of the victim and witnesses shall not be disclosed to the accused, otherwise than under a special order of the court.

(8)The Officer-in-charge of the Police Station or any Subordinate Officer deputed by him upon receipt of summons issued in pursuance of rule 4 may forward the summons on the disclosed electronic mail address, phone number or messaging application of the person summoned.

(9) Where processes are served by electronic communication, service shall be deemed to have been completed, if the service provider generates an acknowledgement of delivery.

(10) When a process is sent to a person or organisation at a disclosed electronic communication address, delivery shall be deemed to have been completed, unless a system-generated failure or bounce-back notification is received; and unless the contrary is proved, it shall be deemed to have been effected at the time the electronic communication would ordinarily have been delivered.

6. Service and Execution of Process by Electronic and Other Modes:

(1) Where summons or any other process is served through electronic communication, including electronic mail or messaging applications, the acknowledgment of receipt shall form part of the report of service, and such report shall contain the mobile number and the messaging application used, the disclosed electronic communication address, and a screenshot or photograph reflecting delivery of the communication.

(2) The delivery of the process by electronic communication may be deemed to be due service, and a copy of such summons or process along with the report of service shall be retained on record as proof of such service.

(3) For the purposes of this rule, acknowledgment includes any communication by the addressee, whether automated or otherwise, or any conduct of the addressee that is sufficient to

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indicate to the originator that the electronic record has been received.

(4) Where the disclosed electronic communication address is not available, the officer-in-charge of the police station or any police officer deputed for such purpose shall make an entry to that effect in the appropriate register, and shall, after taking a printout in duplicate of the summons or process issued in electronic mode, execute the same in accordance with the procedure prescribed under the Sanhita or the Kerala Procedure for Service of Summons Rules, 2025.

(5) Where the summons or other process is not served by electronic communication, or where the delivery is disrupted or undelivered or bounced back for any reason, the concerned officer shall prepare a report in that regard containing all relevant details, including the mobile number and messaging application used, and a screenshot or photograph reflecting confirmation of failed delivery, and may proceed to effect service in any other mode as provided in the Sanhita.

(6) Where a warrant or any other process required to be served or executed in person is issued in electronic mode, the officer-in-charge of the police station or any police officer deputed by him shall take a printout of such warrant or process and execute the same in accordance with the provisions of the Sanhita and the rules made thereunder.

(7) Where any process is served or executed other than through electronic mode, the police officer making such service or executing such process shall take the acknowledgment of the recipient and may capture a photograph, both of which shall form part of the report of service.

(8) Upon due service or non-service of the warrant or other process, the serving officer of the concerned police station shall transmit the report of such service, along with relevant documents including bail bonds, photographs, acknowledgments if any, to the concerned Court, in electronic form, through the Investigation Agency Software, and the Court may act upon such report as deemed appropriate.

9) The electronic report so transmitted, or any printout of such report, shall be deemed to be original for the purposes of satisfaction of service or execution of the process under the Sanhita.

(10) Where any process is issued in relation to an offence punishable under sections 64

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to 71 of the Bharatiya Nyaya Sanhita, 2023, or in cases involving offences against women or children, including offences under the Protection of Children from Sexual Offences Act, 2012 and the Juvenile Justice (Care and Protection of Children) Act, 2015, the concerned officer shall ensure that the identity of the victim is not revealed in any manner during the course of service or execution of such process.

(11) The Mode of Service and its report by the officer notified as per sub-rule 4(7) shall be as prescribed by the High Court from time to time.

7. Miscellaneous: Any rule made in this behalf shall be in addition to, not in derogation of, any other law or rules made by the High Court to specify for the time being in force for issuance, service and execution of process by the Court.

By order of the Governor,

BISHWANATH SINHA,
Additional Chief Secretary to Government.

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Forms

FORM NO.1

REGISTER UNDER SECTION 64(1) BNSS, 2023

(Maintained in terms of the proviso to Section 64(1), read with relevant rules)

*To be maintained in physical and/or electronic form at every Police Statio*n

Name of Police Station:
Crime No:
Sections of BNSS/other law:
Date of registration of First Information:

Sl. No.	Name of Person (Accused/ Witness)	Father's/ Husband's Name	Status (Accused/ Witness)	Postal Address		Electronic Communication Address (Email, Mobile, Messaging App, etc.)				Details of websites/platforms where such information is furnished voluntarily by the person	If declaration is obtained, date of such declaration	Date of communication of details to the Court	Remarks
				Residential Address (With Pincode & Police Station)	Business Address (if any) (With Pincode & Police Station)	Email	Mobile Phone Number (Linked to messaging applications)	Name of messaging application	Other electronic communication address(name of messaging application & ID)				

Instructions for Use:

1**. All columns should be filled in with care.**

2. **Status:** Indicate whether the person is an **Accused (A)** or **Witness(W).**

3. **Electronic Communication Address** includes any email ID,mobile number,messaging app ID (WhatsApp,Telegram),or social media handle used or admitted.

4. **Source of Electronic Address:**

   ○ Mention “Provided” if given directly by the person during arrest, inquiry, or investigation. If the information is provided by the person, also enter the date of receipt of the declaration.

   ○ Mention “Public Domain” if obtained from websites or online platforms used or admitted by the person. If Public Domain is mentioned, also give additional details about the website/domain from where the details were obtained.

5. **Remarks**: Use to note reasons for non-availability of any detail, endorsements by the Officer-in-charge, or any updates.

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FORM No. 2

FORM FOR RECORDING ADDRESS AND ELECTRONIC COMMUNICATION DETAILS

(Under Section 64(1) BNSS, 2023 - To be voluntarily filled by the Accused)

Case / Crime No.:	.....	Police Station:	.....	Date:	.....

Full Name: _____

Son/Wife/Daughter of: _____

Residential Address : House/Street Number: _____ Address: _____

Post Office & PIN: _____

Village/Town/City: _____

Police Station & District: _____

Other Address: Employer/Firm: _____

Post Office & PIN: _____

Village/Town/City: _____

Police Station & District: _____

Identity Card Details : Aadhaar Number: _____

Other ID: _____

Electronic Communication ID: Email ID: _____

Mobile Number (Linked to Messaging applications): _____

Messaging application name: _____ Handle: _____

Declaration

I hereby declare that the above information is furnished by me voluntarily and is true to the best of my knowledge and belief. I understand that the electronic communication address provided herein shall be treated as my **designated computer resource** for the purpose of **Section 13 of the Information Technology Act, 2000**, and may be used for the service of summons, notices, and other legal processes. I undertake to inform the Officer-in-charge of any change in my contact or address details.

Signature/Thumb Impression: _____ **Name:** _____

Date: _____

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AT THE GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM, 2025

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